IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2425 OF 1992

Hanmantrao Annasaheb Patil .. Petitioner
Vs.
Gadhinglaj Taluka Sahakari
Sakhar Karkhana Ltd. & Ors. .. Respondents.

Ms.S.M.Dandekar for the petitioner.

CORAM : D.B.BHOSALE, J.

DATED : 24TH FEBRUARY, 2005

P.C.:

. Heard Ms.Dandekar, learned counsel for the petitioner.

2. This petition is directed against the judgment and order dated 13.4.1992 passed by the Co-operative Appellate Court in Appeal No.79 of 1992 by which the appeal filed by respondent nos.1 and 2 was allowed. By that order, the order passed by the Co-operative Court dated 13.2.1992 in Case No.85 of 1992 was quashed and set aside. By order dated 13.2.1992 the Co-operative Court had restrained the respondents from obstructing the petitioner - original disputant from functioning as a member of the Managing Committee of respondent no.1 - sugar factory. In the order dated 13.4.1992, there was also a direction to the trial Court to decide the dispute within three months therefrom. The learned counsel appearing for the parties are not in a

position to state as to whether the dispute has been disposed of in pursuance of the order dated 13.4.1992 passed by the Appellate Court. It appears that this Court while admitting the writ petition had passed interim order in terms of prayer clause (c). Prayer clause (c) reads thus:

> "(c) That pending the hearing and final disposal of this writ petition the respondents herein be restrained by an order of injunction from in any manner obstructing the petitioner from acting and discharging his duties, rights and powers as the member of the Managing Committee of the Respondent No.1 Karkhana".

3. Admittedly, the term of the managing committee was for five years and that period got over long back. Keeping that in view and considering the directions, those were given by the appellate court while disposing of the appeal by the judgment and order dated 13.4.1992 to the trial Court to dispose of the dispute within three months therefrom and in view of the fact that the parties are not responding to learned advocates appearing in the petition there is no point in keeping this petition pending any more. It is apparent that the writ petition has become infructuous. The writ petition is, accordingly, disposed of as infructuous.

(D.B.Bhosale, J.)